

LUDHAM – PF/25/2736 - Erection of new self-build dwelling and associated access at Land North of Reedlands, Horsefen Road, Ludham, Norfolk

Minor Development

Target Date: 11th February 2026

Extension of Time: 24th April 2026

Case Officer: Harry Gray

Full Planning Permission

RELEVANT PLANNING CONSTRAINTS

Countryside Policy Area
Affordable Housing Zone 1
North Norfolk Designated Rural Area
Agricultural Land Classification - Grade 2
Broads Authority (site lies adjacent to)
Conservation Area (site lies adjacent to)
Landscape Character Type - Settled Farmland
Dry Island
Flood Zone 3A
Flood Zone 3B (Indicative)

RELEVANT PLANNING HISTORY

PRE5/25/2239 Advice given
Meeting (online) - Erection of dwelling

THE APPLICATION

This application seeks planning permission to erect a self-build dwelling towards the end of Horsefen Road within a field next to the dwelling known as Reedlands.

The site is currently a grassed field which is surrounded by a boundary hedge and bank. The site joins Horsefen Road to the southwest with two gate access points, with the southern-most access to be used for the development. The Ludham Conservation Area boundary follows Horsefen and is therefore immediately adjacent to site. The site is also adjacent to the Broads Authority Area to west, which starts the other side of Horsefen Road, and immediately so to the east.

REASON FOR REFERRAL TO COMMITTEE

At the request of Cllr Varley (Ward Cllr) on the basis that the proposal has gained local support and provides for self-build development and that other material considerations suggest that the proposal needs greater scrutiny at Planning Committee.

PARISH/TOWN Council

Ludham Town Council – Support with recommendations for external lighting and encouraging biodiversity

CONSULTATIONS

Norfolk County Council Highways – Object (09.01.2026)

- The servicing road is inadequate and could be detrimental to highway safety due to its:
- Poor alignment
- Restricted width
- Lack of passing provision

Object (06.03.2026) following re-consultation:

- Uphold their position of highway safety
- Question the possibility of the applicant being able to supply the proposed passing places
- Reiterate that they consider the northern end of Horsefen Road to be increasingly busy
- Express concerns that the proposed forward visibility splays are not achievable

Conservation and Design (NNDC) – Object (22.01.2026) for the following reasons:

- Impact on rural character that contributes to the significance of the landscape, the adjacent Ludham conservation area, and the Broads National Park
- Size and scale
- Lack of landscaping plan and misrepresented curtilage would likely result in the openness and unspoilt qualities of the field being further compromised
- Does not reflect to local vernacular or deliver a qualitative piece of bespoke contemporary architecture
- Imposing nature of the building
- Elements of flat roof forms
- Is not sympathetic to the prevailing form and character of the area

Object (12.03.2026) following re-consultation:

- Original concerns about size, compatibility and impact remain
- Highlight their agreement with the response received from the Broads Authority on 27.02.2026

Landscape (NNDC) - Object following the submission of additional information/plans And a Landscape and Visual Impact Assessment, for the following reasons:

Landscape

- Contrary to the settlement pattern along Horsefen Road
- Erodes the positive contribution of the existing grassed field to the rural setting of the Conservation Area and the Broads National Park
- Excessive light spill into the dark night skies of the area and could potentially adversely impact protected species whilst being immediately adjacent to the Broads Authority Dark Sky Zone 2, north of the Broads Ramsar protected landscape, and west of a County Wildlife Site
- Excessive light spill would also detract from the special qualities of the Landscape Character
- Uncomfortable site positioning

- Adverse impact on the countryside policy setting

Trees

- Lack of Arboricultural information to cover potential impact of hard standing on boundary hedge

Ecology

- The Preliminary Ecological Appraisal, and the enhancement measures contained within, are considered acceptable
- Nutrient Neutrality qualifying development
- GIRAMS qualifying development

Broads Authority – Object (08.01.2026) for the following reasons:

- No assessment on the impact on Heritage Assets
- Incongruous by virtue of its size, its massing, its imposing and poorly proportioned design and its isolated position, sitting centrally within what is currently an open field
- Associate residential activities will have a detrimental impact on the rural character of both the Broads Authority Executive Area (when viewed from the east, west and south) and the Ludham Conservation Area.
- Excessive light spill whilst being immediately adjacent to the Broads Authority Dark Sky Zone 2
- Consider that harm would come to the Ludham Conservation Area and wider designated landscape

Object (27.02/2026), following re-consultation:

- Acknowledge the more considered appearance of the amended proposal, but maintain their objection in full
- Substantial dwelling footprint has been further increased
- Substantial two-storey detached house in an isolated position
- Cited centrally within in an open field
- Wholly out of character within the rural setting of the Ludham Conservation Area and the wider Broads landscape
- The field in question contributes directly to the special character of Horsefen Road which this proposal would cause irreversible harm to
- Incongruous by virtue of its size and isolated position
- Does not reflect the established vernacular of the area
- Large amount of glazing within the Broads Authority Dark Sky Zone 2 with not internal light spillage mitigation measures set out
- Concerns regarding the accumulation of residential paraphernalia that inevitably accompanies a dwelling on a plot of this size

Environment Agency - No comments received.

Internal Drainage Board - Advise that the development might require consent regarding discharge of water to a watercourse (treated foul or surface water) under Byelaw 3

Planning Policy – Advice (01.04.2026)

- Lacks supporting evidence to demonstrate self-build compliance
- Stated that the Council's statutory duty to provide custom and self-build plots has been met
- Queried the BNG exemption

- Clarified that the site is within the designated countryside and therefore contrary to Policy SS1

Advice (13.04.2026), following the receipt of applicant's response

- Following review of the information, consider the proposal could potentially be considered to meet the self-build criteria
- Confirms that the provision of one self-build dwelling would make a positive contribution towards the Council's ongoing statutory duty, but confirmed that the weight would be limited
- Confirmed that the Council's obligation to provide plots is district-wide, not area specific. Therefore, this identified need in Ludham does not materially alter the weight afforded to the self-build element

REPRESENTATIONS

10 representations were received following publicity via site notice and advertisement in the local press in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

9 letters of **support** were received which raised the following (summarised) material planning considerations:

- Enhancement of the land/neighbourhood
- In-keeping with the setting
- Brings support to local businesses

1 letter of **objection** was received which raised the following (summarised) material planning considerations:

- Unacceptable principle of development
- Incongruous in terms of scale and design with the surrounding character
- Contrary to the criteria set out in Policy ENV1 of the Local Plan
- Doesn't comply with para. 189 of the NPPF regarding the protection of important natural landscapes

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life. Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES

North Norfolk Local Plan (adopted December 2025)

Policy CC1 - Delivering Climate Resilient Sustainable Growth
Policy CC3 - Sustainable Construction, Energy Efficiency & Carbon Reduction
Policy CC4 - Water Efficiency
Policy CC7 - Flood Risk & Surface Water Drainage
Policy CC8 - Electric Vehicle Charging
Policy CC9 - Sustainable Transport
Policy CC10 - Biodiversity Net Gain (BNG)
Policy CC13 - Protecting Environmental Quality
Policy SS1 - Spatial Strategy
Policy SS2 - Development in the Countryside
Policy HC5 - Fibre to the Premises (FTTP)
Policy HC7 - Parking Provision
Policy ENV2 - Protection & Enhancement of Landscape & Settlement Character
Policy ENV4 - Biodiversity & Geodiversity
Policy ENV5 - Impacts on International & European sites, Recreational Impact Avoidance Mitigation Strategy
Policy ENV6 - Protection of Amenity
Policy ENV7 - Protecting & Enhancing the Historic Environment
Policy ENV8 - High Quality Design
Policy HOU1 - Delivering Sufficient Homes
Policy HOU2 - Delivering the Right Mix of Homes
Policy HOU8 - Accessible & Adaptable Homes
Policy HOU9 - Minimum Space Standards

Material Considerations

National Planning Policy Framework (NPPF):

Chapter 2 - Achieving sustainable development
Chapter 4 - Decision-making
Chapter 5 - Delivering a sufficient supply of homes
Chapter 9 - Promoting sustainable transport
Chapter 11 - Making effective use of land
Chapter 12 - Achieving well-designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
Chapter 15 - Conserving and enhancing the natural environment
Chapter 16 - Conserving and enhancing the historic environment

Supplementary Planning Documents and Guidance:

North Norfolk Design Guide Supplementary Planning Document (SPD) (December 2008)
Landscape Character Assessment Supplementary Planning Document (January 2021)
North Norfolk Strategic Flood Risk Assessment (November 2017)

Other Material Considerations

Self-build and Custom Housebuilding Act 2015 (as amended) (October 2016)

Conservation of Habitats and Species Regulations (2017)

Norfolk County Council Parking Guidelines for new developments in Norfolk (July 2022)

Planning Practice Guidance (February 2024)

Norfolk Recreational Impact Avoidance and Mitigation Strategy and Action Plan (June 2024)

Lead Local Flood Authority Guidance Document (April 2025)

Five-Year Supply of Housing Land 2025-2030 (September 2025)

OFFICER ASSESSMENT:

Main issues for consideration:

- 1. Principle**
- 2. Design, Effect on the character and appearance of the surrounding area and landscape, including Conservation Area and Broads National Park**
- 3. Amenity**
- 4. Highways Safety**
- 5. Parking**
- 6. Ecology**
- 7. Trees**
- 8. Flood Risk**
- 9. Recreational Disturbance**
- 10. Biodiversity Net Gain (BNG)**
- 11. Other Matters**
- 12. Planning Balance and Conclusion**

1. Principle

The spatial strategy for North Norfolk is set out within Local Plan Policy SS1. This policy states that the majority of new development within the district will take place in the towns and larger villages dependent on their local housing needs, their role as employment, retail and service centres and particular environmental and infrastructure constraints. The policy lists a clear settlement hierarchy from Large Growth Towns to Small Growth Villages. The rest of North Norfolk is designated as 'Countryside' and development will be restricted to particular types of development which are considered within the Countryside Policy SS2.

Ludham is categorised as a Large Growth Village, providing several services and facilities, including a doctor's surgery, convenience stores, a village hall, a church, a pub, a primary school, a car repair garage, a fuel station, and boat yards. Further, there are regular bus services to North Walsham, via Stalham, and to Great Yarmouth, via Potter Heigham. It should be noted that there are presently no bus services on Sundays.

Whilst technically within Ludham parish, Officers consider that the site is not immediately adjacent to the designated settlement boundary and lies approximately 650 metres (as the crow flies) from the designated settlement boundary and approximately 830 metres when navigating Horsefen Road. The application site is therefore within the Countryside as detailed in Policy SS2, where development is limited to that which essentially requires a Countryside location. The policy sets out a number of qualifying criteria for development that will be considered in such locations. The proposal would not comply with any of the provisos for new build residential development within this policy.

Policies SS1 and SS2 restricts the creation of new marking dwellings within the countryside to prevent dispersed dwellings that, by virtue of their location, will have a dependency on travel by car. Instead, these policies try to focus development toward more sustainable patterns of development. These policies are broadly consistent with the NPPF in respect of setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations which are sustainable. Therefore, limiting the need to travel, offering a choice of transport modes, and helping to reduce congestion and emissions, so as to improve air quality and public health.

Access to amenities and bus services would be via Horsefen Road, a rural, unlit road with no separate footways. Whilst two public Right of Way footpaths extend away from the end of Horsefen Road, implying a shared surface, the potential volumes of traffic, particularly north of Womack Staithe, coupled with the lack of separate footpath, would likely deter people walking to Ludham, particularly during darker winter months. Therefore, it is considered very likely that the future occupiers would be dependent on the use of a car to reach the full range of everyday basic services.

For the reasons stated above, the proposal is considered to be contrary to Policies SS1 and SS2 of the adopted Local Plan. Whilst the proposal is within the parish of Ludham, the site not located inside, immediately adjacent to, or even relatively close to the Ludham settlement boundary. The site is within an unsustainable countryside location and is therefore unacceptable in principle.

Self-build and Custom Housing

The Self-build and Custom Housebuilding Act 2015 ('the Act') (as amended by the Housing and Planning Act 2015), and the Self build and Custom Housebuilding Regulations 2016, together provide the legislative basis for promoting Self and Custom Build Housing in England. The Act requires the Council to maintain a register of persons 'seeking to acquire' serviced plots on which to construct a custom or self-built dwelling which are 'to be occupied as homes by those individuals'. The Act places a duty on the Council to permit enough 'suitable' development permissions to meet the demand for serviced plots (as established by those persons and plots entered onto Part 1 of the Register).

Development permission is defined as 'suitable' in the Act if it is 'development which could include custom and self-build housing'. The national guidance states 'Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area'. The definition and interpretation of 'suitable' is a key consideration in the grant of development permissions.

Following the submission of further information, it is considered that the proposal would meet the definition of a self-build dwelling, which would be secured through necessary conditions to secure this status (which can also be achieved through a legal agreement if necessary). However, irrespective of whether a dwelling is custom or self-built, this does not negate the application of the strategic development plan policies, in particular Local Plan Policies SS1 and SS2 as outlined above. Custom and self-build housing in the countryside is not one of the identified criteria set out within Policy SS2.

Policy HOU 2 sets out the Council's approach to delivering a sufficient supply of sustainably located self-build and custom housebuilding plots. In support of the application, the applicant has expressed, within their Planning Statement, that the addition of one self-build dwelling

should be afforded significant weight within the planning balance. They propose that the Council is not currently meeting its statutory obligation to deliver plots for self-build and custom build housing and that this dwelling would meaningfully contribute towards this obligation as well as towards the Council's overall delivery of dwellings.

Whilst it is believed that the applicant may be relying on old, published data, the most recent figures, which use a more robust methodology and updated monitoring, show that the Council is meeting its obligation. The data indicates that, across all base periods to date, 55 qualifying registrations have been received on Part 1 of the Register, and 64 plots have been permitted which the Council considers contribute toward meeting this demand.

This monitoring demonstrates that the statutory duty has been met across the base periods where the relevant 3-year permission window has closed. Where unmet demand has arisen in earlier periods, this has been appropriately rolled forward and subsequently addressed. The 3-year permission windows for more recent base periods remain open, and permissions granted within these periods will be used to determine whether demand is met.

Furthermore, the Council are currently able to demonstrate a 7.0-year housing land supply, having adopted its Local Plan in December 2025 which was found to be up-to-date and in conformity with the NPPF. In assessing these proposals, due regard has been given to the NPPF as a material consideration, including the requirements of paragraph 11.

Whilst the addition of one dwelling would positively contribute towards the achieving the self-build and custom housebuilding targets, the Council has been able to demonstrate that has deliverable 7.0-year housing land supply and is meeting its statutory self-build and custom housebuilding obligations. Therefore, as one dwelling would not represent a significant contribution, only limited weight can be afforded to the delivery of the proposed dwelling.

The lack of available self-build plots within Ludham or the immediate catchment has been highlighted by the applicant. However, it must be stressed that the statutory duty does not operate on a settlement-specific basis, and the Council's obligation is to meet demand across its area as a whole rather than to provide opportunities in particular locations. This does not therefore materially alter the weight to be afforded to the self-build element in this instance.

In terms of the planning balance, the limited weight afforded to self-build does not outweigh the matter of the proposed development site being positioned within an unsustainable location and is therefore contrary to Policies SS1 and SS2 as outlined above. It would also be contrary to the overarching objectives of sustainable development as set out under Policy CC1, the objectives of achieving sustainable transport under Policy CC9, and paragraphs 8, 11, 83, 115 and 117 of the National Planning Policy Framework.

2. Design, Effect on the character and appearance of the surrounding area and landscape, including Conservation Area and Broads National Park

Design

The proposed development comprises the erection of a large dwelling located towards the end of a rural road and centrally within an agricultural field. Whilst one-and-a-half-storeys in nature, with a ridge height of 7.7m, this would be more akin to a two-storey dwelling. Although the 3.15m eaves height and first floor dormer windows would help to soften this, the ascending

gradient of the site, and therefore height position of the dwelling relative to the road, would result in an increased sense of grandeur.

The area is largely characterised by clusters of development in the form of small-scale 19th-century cottages or larger chalet bungalow type dwellings. The first design featured a large, Georgian-esque pastiche, two-storey home within the same location. The revised scheme, whilst more considered in its one-and-a-half-storey form, continues to thrust an incongruous form of development within the setting of Horsefen Road. By reducing the overall height by 40cm and changing the design, it appears that objections relating to size and scale have been considered. However, with consideration of the minimal decrease in height, coupled with a footprint increase of approximately 70m², it is difficult to see how the design reflects the local vernacular. The proposal would still be overly assertive within the site, with its central planting into the field only serving to further reinforce this physical intervention, with the new build likely to command attention and become the dominant feature on site. It is unclear why the dwelling has been placed in a floating position within the field surrounded by agricultural land.

As the Council's Conservation & Design department have described within their comments, it is the imposing nature of the building which raises the primary concerns. This can be attributed to:

- Its long, unbroken ridgelines
- Its stretched elevations with their (in part) irregular bays and (in part) over fenestration
- Its solidity through the unrelieved facing materials
- Its bookend external chimney stacks
- The lack of any affective articulation or modelling within the main north and west facing facades. Whilst somewhat lessened by the revised design, this concern remains

In addition, the flat-roof kitchen feels mismatched with the overall design of the dwelling and still appears as a visual afterthought, rather than being properly imbedded within the overall design.

Overall, it is considered that the proposed dwelling would fail to respond properly to the buildings within this part of the village. Whilst some of these feature extensive footprints, they deliver them in a far more additive and incremental way and avoid the comparatively unforgiving volumes proposed here. The net result is a building which would not be sympathetic to the prevailing form and character of the area.

Conservation Area and Broads National Park

The concerns with the proposal are only further compounded when the sensitive nature of the area is examined. The site is a relatively open and unspoilt agricultural field that lies adjacent to the Ludham Conservation Area and Broads National Park. The Ludham Conservation Area Appraisal states the following: 'after the Staithe, the road continues to curve easy and south...hedges and individual trees fringe the road with open arable fields to the north giving views to gently rising ground.' It therefore must be concluded that the site not only affords views over the gently rising ground to the north but also reinforces the existing rural character of this part of the conservation area.

Paragraph 189 of the NPPF states that, in terms of conserving and enhancing the natural environment, great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great

weight. It then goes on to state that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on designated areas.

The existing grassed field, by virtue of its undeveloped nature, makes a positive contribution to the rural setting of the Conservation Area and the Broads National Park setting. This function would be eroded by the proposed development by virtue of its bulky and incongruous size and scale.

The site is also immediately adjacent to the Broads Authority Dark Sky Zone 2. The large expanses of glazing and dormers, particularly on the south and east elevations, would incur excessive light spill into the dark night skies of the area. Whilst not only detracting from this, the light spill would have the potential to also adversely impact protected species. Additionally, with the Broads Ramsar protected landscape to the south of the site and a County Wildlife Site to the east, this issue is only further compounded.

Regarding heritage harm, it would be disingenuous to ignore the overall size of the conservation area and the fact that the impacts here would be indirect rather than direct. However, as detailed above, harm to the significance of the heritage asset is present.

In terms of quantifying the level of heritage harm, it is considered that it would lie towards the lower end of the 'less than substantial' spectrum for NPPF purposes. Paragraph 212 states that great weight should be given to the conservation of heritage assets irrespective of the level of harm.

Paragraph 215 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Although the addition of one dwelling would contribute towards the Council's self-build and housing targets, this contribution cannot be considered to contribute substantially and therefore can only be afforded limited weight. This limited weight would not outweigh the harm to the heritage asset and would therefore be contrary to paragraph 215 of the NPPF and Policies ENV7 and ENV8 of the adopted North Norfolk Local Plan

Landscape

The site lies within the Settled Fen Landscape Type, as defined in the North Norfolk Landscape Character Assessment (2021 SPD). This is characterised by flat or very flat arable landscapes bounded on three sides by the more wooded Broads Valleys which have a wilder and less agricultural character, and which form a strong visual relationship from within the Type. Settlement is a strong landscape feature with dispersed farmsteads, villages and the market town of Stalham. A strong rural character with a sense of remoteness and tranquillity is a defined, valued feature, with rural lanes and dark night skies being a contributing factor. The Assessment sets out Detractors that could adversely affect the prevailing character of this Landscape Type. This includes the increases in light pollution associated with new built form which can affect the valued dark night skies of agricultural buildings by potentially introducing suburban features such as light spill from large expanses of glazing, external lighting, garden fencing, and parking areas.

For the reasons stated above it is concluded that the proposal would harm the character, appearance, setting, significance, and special characteristics of the surrounding landscape, and adjacent Broads National Park.

With no public benefits that would outweigh this harm, the proposal would be contrary to Local Plan Policies ENV1 and ENV2.

3. Residential Amenity (Effect on living conditions)

Despite being of significant scale and at a slightly raised elevation, by reason of separation distances to neighbouring dwellings (the nearest being 35m away), it can be concluded that the proposed development would not result in unacceptable levels of residential amenity impacts. Any perceived increase in overlooking would be limited. The proposal would therefore comply with the aims of Local Plan Policy ENV6 and Policy ENV8 in regards to amenity.

4. Highway Safety

Initial comments received from the Highway Authority raised concerns regarding highway safety resulting from the increased traffic movements and sinuous nature of Horsefen Road. As detailed within the comments received from the Highway Authority, it is considered that the proposed development would generate six daily traffic movements, as set out in TRICS (Trip Rate Information Computer System). The proposal will therefore generate additional traffic on the surrounding network and through the proposed access serving the site. Horsefen Road is a narrow, sinuous, single track rural lane without the benefit of any formal vehicular passing or pedestrian facilities. Horsefen Road has a variable width of between 2.9m and 3.7m. The width of the road is 2.9m adjacent to the proposed dwelling.

The Highway Authority have stated that for satisfactory shared vehicular use, a carriageway width of 4.8m is required (Manual for Streets 2007). Due to Horsefen Road's narrow nature, it would not be possible for two cars to pass each other safely. The proposed development would increase the likelihood of vehicles meeting, leading to cars reversing and manoeuvring in the highway which would be both difficult and hazardous for some drivers and for the drivers of some large vehicles, and particularly in conditions of poor light, dusk and darkness. The road's sinuous characteristics and notable bends reduce forward visibility thereby increasing risk.

In addition, Horsefen Road leads to the Public Right of Way network where there is a circular route. Additional traffic proposed from the site would increase conflict between pedestrians (vulnerable road users) and vehicles.

Paragraph 115(b) of the NPPF states that safe and suitable access to the site should be achieved for all users. Due to the reasons stated above, and the length of travel required to reach Yarmouth Road, it cannot be concluded that the development would comply with paragraph 115(b). Thus, given the proposal and the associated intensification of traffic movements associated with the proposed use on a narrow, sinuous rural lane, the proposal would give rise to conditions detrimental to highway safety.

In the two responding statements submitted by the applicant and curated by Doyle Transport Planning, the statements made by the Highway Authority above are challenged. The presented information shows the location of informal passing places, sections of road within which two cars can pass, and places where formalisation of passing places could take place to improve highway safety. They also challenge the categorisation of Horsefen Road as a sinuous road and the true impact that one dwelling would have.

However, it has not been confirmed whether the land for the proposed passing places is within the highway land or within private ownership, and therefore, whether the passing places could be delivered.

Furthermore, the informal passing places are either sections of bank that have been flattened by car travel or the driveways of other properties. The reliance on third party land, such as driveways, to provide safe passage for vehicles should be avoided as these could easily be removed and obstructed by the owner. It is for this reason that they cannot carry any noteworthy weight within the planning balance.

For the reasons stated about, the proposed development would be contrary to Local Plan Policy CC9 and Chapter 9 of the NPPF.

5. Parking

Whilst the size requirements for spaces to be considered eligible to contribute towards the dwelling's parking provisions technically haven't been met (marked as 4.8m rather than 5), it is clear that the driveway would be able to accommodate the size increase and therefore provide the required level parking as denoted within the Norfolk County Council Parking Guidelines. Although the plans do not indicate the required secure covered cycle parking, there would be space to provide this on site and could be secured through condition if necessary.

The proposal would therefore accord with the requirements of Local Plan Policy HC7 and Policy ENV8.

6. Ecology

The application has been supported by a Preliminary Ecological Assessment. Enhancement measures are required to provide a net gain for the development as required by Paragraph 187 of the NPPF and Policy ENV4 of the adopted North Norfolk Local Plan.

The enhancements as set out in the report are considered acceptable and include limiting external lighting and following best practice guidelines, Institute of Light Professionals / Bat Conservation Trust Guidance Note 08/23, 'Bats and Artificial Lighting at Night'.

The proposal would accord with the aims of Local Plan Policy ENV4 and Policy ENV8 in this regard.

7. Trees

As the dwelling would be positioned centrally within the agricultural field away from surrounding trees, it is considered that no arboricultural conflicts would arise in this regard. However, it is considered likely that the existing access point will need widening and visibility splays improving which would have the potential to impact upon existing trees and hedgerows. Furthermore, the introduction of new hardstanding, services and utilities within the existing root protection area of existing trees and hedgerows has the potential to cause damage and should be properly assessed and appropriate protection measures put in place.

There has not been any Arboricultural information submitted to support the proposal and address these issues. As such, the proposal would be contrary with the aims of Local Plan

Policy CC12 and Policy ENV8, albeit such impacts could be mitigated through imposition of planning conditions.

8. Flood Risk

The site is located partially within the large designated Dry Island that surrounds Ludham and Catfield and partially within Flood Zones 2 and 3. The dwelling itself would be located outside of the flood zones, but the front section of the site, including the access and Horsefen Road, would be within Flood Zones 2 and 3. As per Policy CC7, and in line with the NPPF, areas within a designated Dry Island are to be treated as though that are within the surrounding flood zone. As such, a Flood Risk Assessment (FRA) should be submitted to support such applications.

An FRA was submitted which confirms that the dwelling would be situated outside of the flood zones and Above Ordinance Datum (AOD), above all fluvial present day and climate change levels. It is therefore considered that safe refuge, particularly on the first floor, could be achieved.

What should be of note, as previously mentioned, is that Horsefen Road is entirely within the Flood Zones 2 and 3. The FRA states that the Environment Agency's flood data indicates that along Horsefen Road, the minimum ground level is 0.97m AOD, below the climate change flood level of 1.67m AOD. As such, the FRA categorises the hazard to people along this area as Dangerous for Most for 731m, and very low thereafter. Whilst it is acknowledged that safe refuge exists, the potential inability of access/egress during a flood event would give rise to concerns.

A Flood Risk Sequential Test Assessment was also submitted within which the Sequential and Exception Tests have been carried out. The Local Planning Authority are satisfied by the conclusions of the Sequential Test, but would disagree with the conclusion of the Exceptions Test.

Paragraph 178 of the NPPF states that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

As stated above, given the unsustainable location and with the Council being able to demonstrate both a deliverable five-year land supply and that the statutory duty to supply self-build housing plots have been met, it is not considered that there are sufficient wider sustainability benefits to outweigh the identified flood risk.

The proposal would therefore be contrary to Local Plan Policy CC7 and Paragraph 178 of the NPPF.

9. Recreational Disturbance

The cumulative recreational impacts from new overnight accommodation in Norfolk is considered to have a significant adverse impact upon the integrity of European Sites. The Norfolk Authorities therefore adopted the Green Infrastructure and Recreational impact

Avoidance Mitigation Strategy (GIRAMS), a strategic mitigation measure, on 1st April 2022 to help mitigate these impacts.

GIRAMS required a tariff payment of £304.17 per dwelling at the time of submission, which has been paid via S111 upfront payment. This tariff will fund mitigation measures to be implemented across Norfolk.

Accordingly, as the mitigation fee has been paid, the proposal is considered to comply fully with the GIRAM requirements and therefore complies with policies CC10, ENV4 and ENV5 of the Local Plan.

10. Biodiversity Net Gain (BNG)

The applicant has claimed the self-build exemption with regards to mandatory BNG requirements. As discussed further above, the Council are satisfied that the proposed development is compliant with The Self-build and Custom Housebuilding Regulations 2016 subject to conditions.

11. Other Matters

Sustainable Construction:

Policy CC3 of the NNLP requires new development to achieve a progressively higher standard of environmental sustainability. Residential proposals should be accompanied by a compliance statement setting out the approach taken to address energy efficiency within the design and technical specification of the proposed development and the comparative target energy performance and carbon emission rates of the proposal in relation to the benchmarked Target Emissions Rate for each dwelling proposed.

In this case the agent has committed to exceeding the standards set out in Volume 1 of Approved Document Part L (2021) for dwellings. It is also stated that the proposed dwellings will have a greater than 30% reduction in the target CO2 emission rate when compared to the 2013 building regulations.

The submitted statement also proposes use of air-source heat pumps for underfloor heating and hot water, as well as PV panels on appropriate roof slopes. Taking account of the written commitments from the agent, the Council are satisfied that the development would be in accordance with the provisions of Policy CC3.

Water efficiency:

Policy CC4 requires that all new dwellings must be designed and constructed in a way that enables them to meet or exceed Building Regulations Part G, amended 2016 water efficiency higher optional standard or any higher standard subsequently established nationally. The agent has committed to the proposed dwellings having a water consumption rate that would not exceed 110l/p/day which is the higher optional standard, and the requirement stated within Policy CC4.

The application is therefore considered policy compliant in terms of water efficiency.

Electric Vehicle Charging:

The submitted site plan for the proposed dwelling includes the provision for 1no. electric vehicle chargepoint. However, a formal parking space associate with the charge point has not been clearly marked on the plan, as per policy, so the practicality of use cannot be determined.

As such, it cannot be determined whether it would meet the requirements of being suitable for use by people with disabilities. Furthermore, the type of chargepoint to be installed has not been specified. The proposal would therefore be contrary to Policy CC8, albeit such impacts could be mitigated through imposition of planning conditions.

Fibre to the Premises (FTTP):

Policy HC5 states that all new dwellings shall provide fibre connections in accordance with National Building Regulation. The applicant has stated within their planning statement that a fibre optic connection will be installed. This would comply with the requirements of Policy HC5 subject to condition.

Foul Water

The site lies outside the nutrient neutrality catchment for the River Bure. Whilst the site would be able to connect to mains drainage, the discharge from Ludham / Walton Hall Water Recycling Centre is understood to discharge outside of the nutrient neutrality catchment and therefore mitigation is not required.

Planning Balance and Conclusion

It is considered that the proposed development would positively contribute towards the Council's custom and self-build and housing targets. However, due to its unsustainable location within the designated Countryside, the proposal would be considered unacceptable in principle and therefore contrary to Policies CC1, CC9, SS1 and SS2. The proposed dwelling's incongruous design would be contrary to the aims of Policy ENV8 and would harm the significance of the adjacent Conservation Area, Broads National Park, and surrounding Landscape, in direct conflict with Policies ENV1, ENV2, and ENV7. The proposed development would also not substantially contribute towards the sustainability of the local community to outweigh the flood risk identified, contrary to Policy CC7.

Material considerations in favour of the proposal do not attract sufficient weight in the planning balance to outweigh the identified harms

RECOMMENDATION:

REFUSAL for the following reasons:

- 1. It is considered that the proposed development would be positioned within an unsustainable location with a lack of basic day-to-day facilities/services and sustainable connections to such facilities/services, resulting in future occupiers of the proposed dwellings being heavily reliant on private vehicles in order to access larger settlements. It is not considered that the provision of a single dwelling in the location proposed would contribute to the delivery of sustainable development, nor reduce carbon emissions. Consequently, with no adequate benefits to outweigh the identified policy conflict, it is considered that the proposed development is contrary to the overarching aims of sustainable development and transport under Policies CC1, CC9, SS1 and SS2 of the adopted North Norfolk Local Plan, and paragraphs 8, 11, 83, 115 and 117 of the National Planning Policy Framework.**
- 2. Due to the proposed height and footprint of the dwelling, together with its positioning within the field and resultant likely prominent appearance, the potential for light spill and with a lack of characterful detailing and any notable landscaping,**

the proposed dwelling would not be in-keeping with the local vernacular with an associated detrimental impact upon the visual characteristics and special qualities of the local surrounding landscape, and setting, character and appearance of the Broads National Park. It would therefore be contrary to Policies ENV1, ENV2 and ENV8 of the adopted North Norfolk Local Plan. In addition, this would also result in less than substantial harm to the setting of the adjacent Ludham Conservation Area. It is considered that there are insufficient public benefits to outweigh the identified harm and as such, the proposed development is contrary to Policy ENV7 the adopted North Norfolk Local Plan and Paragraph 215 of the NPPF.

- 3. The application was not supported by and Arboricultural Implications Assessment and accordingly, the applicant has failed to demonstrate that the proposed development would not have an unacceptable adverse impact upon existing trees and hedgerows. Accordingly, the proposed development is contrary to Policies CC12 and ENV8 of the adopted North Norfolk Local Plan.**
- 4. The unclassified road serving the site is considered to be inadequate to serve the proposed development by reason of its poor alignment, restricted width, lack of formal passing provision, lack of lighting and absence of any pedestrian facilities. The proposed development is likely to generate increased vehicular use of this road and therefore give rise to conditions detrimental to highway safety, contrary to Policy CC9 of the adopted North Norfolk Local Plan.**
- 5. The site is located partially within a Dry Island and is therefore considered as being within surrounding Flood Zones 2 and 3. The applicant has failed to demonstrate that the development would provide wider sustainability benefits to the community that outweigh the flood risk and therefore has not passed the required exceptions test. Accordingly, the proposed development is contrary to Policy CC7 of the adopted North Norfolk Local Plan and Paragraph 178 of the NPPF.**